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AMENDMENTS TO THE CLAIMS

1. **(Currently amended)** A *Myrothecium* host cell comprising at least one recombinant DNA construct for the modulated expression of homologous genes and/or for the an expression of heterologous genes.
2. **(Currently amended)** The host cell according to claim 1 ~~characterized in that~~ wherein said ~~the recombinant~~ DNA ~~from said construct integrates~~ is integrated into a chromosome of the host cell ~~chromosome~~ and/or is present on an episome in the host cell.
3. **(Currently amended)** The host cell according to claim 1 ~~or 2 characterized in that~~ wherein said recombinant DNA construct comprises a nucleic acid sequence encoding a heterologous protein and/or a homologous protein.
4. **(Currently amended)** The host cell according to claim 3 ~~which~~ wherein said recombinant DNA construct comprises a nucleic acid sequence encoding is a fungal protein.
5. **(Currently amended)** The host cell according to ~~any of the preceding claims~~ Claim 1 characterized in that wherein said DNA construct comprises at least one homologous or heterologous tool that allows or enhances protein expression, said tool being selected from the group consisting of a promoter sequence, a terminator sequence, a polyadenylation signal sequence, a leader sequence, a secretion signal sequence, a selection marker gene sequence ~~or~~ and reporter gene sequence.
6. **(Currently amended)** The host cell according to claim 5 ~~characterized in that~~ wherein said homologous or heterologous tool is a selection marker gene sequence is selected from the group consisting of a hygromycin B resistance gene sequence, phleomycin resistance gene sequence, a phosphinothricine resistance gene sequence, acetamidase gene sequence, a pyrG gene sequence, an argB gene sequence, a niaD gene sequence and a trpC gene sequence.
7. **(Currently amended)** The host cell according to claim 5 ~~characterized in that~~ wherein said homologous or heterologous tool is a promoter sequence is selected from the group consisting of the an Aspergillus oryzae TAKA-amylase promoter sequence, the an Rhizomucor miehei aspartic proteinase promoter sequence, the an A. niger glucoamylase promoter sequence, the an A. niger neutral α -amylase promoter sequence, the an A. niger acid stable α -amylase promoter sequence, the an R. miehei lipase promoter sequence and ~~the promoters~~ a promoter sequence of the glycolytic enzymes genes GPD, PGK and ADH.

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8. (Currently amended) The host cell according to claim 5 ~~characterized in that~~ wherein said promoter is a regulatable promoter.

9. (Currently amended) The host cell according to ~~any of the preceding claims~~ Claim 1 selected from the group of *Myrothecium* sp. cells consisting of *Myrothecium inundatum*, *Myrothecium prestonii*, *Myrothecium leucotrichum*, *Myrothecium cinctum*, *Myrothecium masonii*, *Myrothecium roridum*, *Myrothecium verrucaria*, *Myrothecium carmichaelii*, *Myrothecium lachastrae*, *Myrothecium atrum*, *Myrothecium atroviride*, *Myrothecium gramineum* (syn. *Xepiculopsis gramineae*) cells.

10. (Currently amended) The host cell according to claim 9 ~~characterized in that~~ wherein said host cell is selected from the group consisting of the *Myrothecium gramineum* strain MUCL39210, the *Myrothecium gramineum* strain CBS449.71, the *Myrothecium gramineum* IMI140595, the *Myrothecium gramineum* IMI290405 and the *Myrothecium verrucaria* strain CBS328 cells.

11. (Currently amended) The host cells according to claim 9 ~~characterized in that~~ wherein said host cell is the *Myrothecium gramineum* strain MUCL39210 cell.

12. (Currently amended) The host cell according to ~~any of the preceding claims~~ Claim 1 comprising a PCNS43 or a p3SR2 vector.

13. Canceled

14. Canceled

15. Canceled

16. Canceled

17. Canceled

18. (Currently amended) A method of genetically modifying ~~transforming~~ *Myrothecium* sp. cells to generate Myrothecium host cells of Claim 1, said method comprising the steps of:

growing *Myrothecium* cells or *Myrothecium* protoplasts; .

~~generating a host cell according to any of claims 1 to 12 by introducing into said~~
Myrothecium cells or *Myrothecium* protoplasts at least one recombinant DNA construct
for ~~a the~~ modulated expression of homologous genes and/or for an ~~the~~ expression of
heterologous genes ~~into Myrothecium cells~~; and

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selecting genetically modified *Myrothecium* cells or genetically modified *Myrothecium* protoplasts.

19. (Currently amended) The method according to claim 18 wherein said recombinant DNA construct is a plasmid or a vector.

20. (Currently amended) A genetically modified ~~transformed~~ *Myrothecium* cell strain obtainable by a method according to claim 18 ~~or 19~~.

21. (Currently amended) ~~A transformant~~ The genetically modified cell according to claim 20 ~~with~~ having an increased activity selected from the group consisting of increased amylase activity, increased xylanase activity, increased growth rate, and increased biomass production and/or having a reduced protease production.

22. (Currently amended) ~~The transformant~~ The genetically modified cell according to claim 20 ~~or 21~~ with an altered metabolic pathway compared to ~~the~~ a nontransformed *Myrothecium* cell strain.

23. (Currently amended) A method for producing a protein of interest, said method comprising the steps of:

culturing *Myrothecium* host cells ~~according to any of claims of Claim 1 to 12~~
under conditions which permit expression of the protein; and
recovering the protein from said *Myrothecium* cultured host cells ~~culture~~.

24. (Original) The method according to claim 23 wherein said protein is a fungal protein.

25. (Currently amended) The method according to claim 23 ~~or 24~~ wherein said protein is selected from the group consisting of an enzyme, a therapeutic drug or a biopesticide.